

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

RTI HOLDING COMPANY, LLC,¹

Debtors.

Chapter 11

Case No. 20-12456 (JTD)

(Jointly Administered)

Hearing Date: February 4, 2021, 1:00 p.m. (prevailing Eastern Time)

Objection Deadline: January 19, 2021, 5:00 pm (prevailing Eastern Time)

**DEBTORS' REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF DEBTOR'S OBJECTION FOR VOTING PURPOSES
TO PROOFS OF CLAIM NOS. 10425 and 10426 FILED BY LAWRENCE N. LEBOW**

The above-captioned debtors and debtors in possession (the “Debtors”) respectfully request the Court to take judicial notice, pursuant to Rule 201 of the Federal Rules of Evidence, of the following exhibits in support of the Debtor’s *Objection to Claim for Voting Purposes to Proofs of Claim Nos. 10425 and 10426 Filed by Lawrence N. Lebow*, filed January 5, 2021 (the “Claims Objection for Voting Purposes”). The Debtors respectfully request that this Court take judicial notice of RTI’s publicly available filings with the SEC, which are available on the SEC’s

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor’s U.S. tax identification number are as follows: RTI Holding Company, LLC (4966); Ruby Tuesday, Inc. (5239); Ruby Tuesday, LLC (1391); RTBD, LLC (6505); RT of Carroll County, LLC (8836); RT Denver Franchise, L.P. (2621); RT Detroit Franchise, LLC (8738); RT Distributing, LLC (6096); RT Finance, LLC (7242); RT FL Gift Cards, Inc. (2189); RT Florida Equity, LLC (7159); RT Franchise Acquisition, LLC (1438); RT of Fruitland, Inc. (1103); RT Indianapolis Franchise, LLC (6016); RT Jonesboro Club (2726); RT KCMO Franchise, LLC (7020); RT Kentucky Restaurant Holdings, LLC (7435); RT Las Vegas Franchise, LLC (4969); RT Long Island Franchise, LLC (4072); RT of Maryland, LLC (7395); RT Michiana Franchise, LLC (8739); RT Michigan Franchise, LLC (8760); RT Minneapolis Franchise, LLC (2746); RT Minneapolis Holdings, LLC (7189); RT New England Franchise, LLC (4970); RT New Hampshire Restaurant Holdings, LLC (7438); RT New York Franchise, LLC (1154); RT Omaha Franchise, LLC (7442); RT Omaha Holdings, LLC (8647); RT One Percent Holdings, LLC (6689); RT One Percent Holdings II, LLC (2817); RT Orlando Franchise, LP (5105); RT Restaurant Services, LLC (7283); RT South Florida Franchise, LP (3535); RT Southwest Franchise, LLC (9715); RT St. Louis Franchise, LLC (6010); RT Tampa Franchise, LP (5290); RT Western Missouri Franchise, LLC (6082); RT West Palm Beach Franchise, LP (0359); RTTA, LP (0035); RTT Texas, Inc. (2461); RTTT, LLC (9194); Ruby Tuesday of Allegany County, Inc. (8011); Ruby Tuesday of Bryant, Inc. (6703); Ruby Tuesday of Columbia, Inc. (4091); Ruby Tuesday of Frederick, Inc. (4249); Ruby Tuesday of Linthicum, Inc. (8716); Ruby Tuesday of Marley Station, Inc. (1641); Ruby Tuesday of Pocomoke City, Inc. (0472); Ruby Tuesday of Russellville, Inc. (1601); and Ruby Tuesday of Salisbury, Inc. (5432). The Debtors’ mailing address is 333 East Broadway Ave., Maryville, TN 37804.

EDGAR filings and form webpage at www.sec.gov/edgar. Fed. R. Bankr. P. 9017, incorporating Fed. R. Evid. 201. *See New Century Trs Holdings v. New Century Trs Holdings (In re New Century TRS Holdings)*, 502 B.R. 416, 424 (Bankr. D. Del. 2013) (“A court may take judicial notice of a properly authenticated public disclosure document filed with the SEC. *In re NAHC, Inc. Securities Litigation*, 306 F.3d 1314, 1331 (3d Cir. 2002), citing *Oran v. Stafford*, 226 F.3d 275, 289 (3d Cir. 2000).”). The Debtors also request that the Court take judicial notice of publicly-available filings in the Dissenters Action (as defined in the Claims Objection for Voting Purposes). Fed. R. Bankr. P. 9017, incorporating Fed. R. Evid. 201. *See Cooley v. DiVechhio*, 307 F. App’x 611, 614 (3d Cir. 2009) (“Based upon our review of the state court docket, which is public . . . [w]e may ‘take judicial notice’ . . . ”). See Fed. R. Evid. 901(b)(7); 1005.

| EXHIBIT | DESCRIPTION |
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| 1 | Proxy Statement, dated November 20, 2017 (excerpt), available at: https://www.sec.gov/Archives/edgar/data/0000068270/000119312517347719/d474183ddefm14a.htm#toc |
| 2 | Petition For Appraisal And Other Relief |
| 3 | Defendants Answer To Petition For Appraisal And Other Relief |
| 4 | Proof of Claim 10426, filed by Lawrence N. Lebow |
| 5 | Proof of Claim 10425, filed by Lawrence N. Lebow |

Dated: January 5, 2021
Wilmington, Delaware

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O'Neill

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